



# **SENATE JOURNAL**

**STATE OF ILLINOIS**

**NINETY-FIFTH GENERAL ASSEMBLY**

**100TH LEGISLATIVE DAY**

**WEDNESDAY, OCTOBER 3, 2007**

**11:58 O'CLOCK P.M.**

**SENATE**  
**Daily Journal Index**  
**100th Legislative Day**

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The Senate met pursuant to adjournment.  
Senator Debbie DeFrancesco Halvorson, Crete, Illinois, presiding.

The Journal of Tuesday, October 2, 2007, was being read when on motion of Senator Hunter, further reading of same was dispensed with, and unless some Senator had corrections to offer, the Journal would stand approved. No corrections being offered, the Journal was ordered to stand approved.

#### **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

Report pursuant to the Personal Information Protection Act, submitted by the Department of Human Services.

CMS Third Annual Report summarizing consolidation and reorganization activities pursuant to E.O. 2004-2, submitted by Department of Central Management Services.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

#### **LEGISLATIVE MEASURE FILED**

The following Floor amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Rules:

Senate Floor Amendment No. 3 to House Bill 315

#### **INTRODUCTION OF BILLS**

**SENATE BILL NO. 1867.** Introduced by Senator Halvorson, a bill for AN ACT concerning veterans.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 1868.** Introduced by Senator Schoenberg, a bill for AN ACT concerning appropriations.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

#### **READING BILLS FROM THE HOUSE OF REPRESENTATIVES A FIRST TIME**

**House Bill No. 656,** sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 921,** sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 1334,** sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 2070,** sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

**House Bill No. 2353,** sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

[October 3, 2007]

**House Bill No. 2973**, sponsored by Senator E. Jones, was taken up, read by title a first time and referred to the Committee on Rules.

**REPORT FROM STANDING COMMITTEE**

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Floor Amendment No. 2 to House Bill 315

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

**MOTIONS IN WRITING**

Senator Link submitted the following Motion in Writing:

I move that Senate Bill 514 do pass, notwithstanding the veto of the Governor.

DATE: 10/02/07 s/Terry Link  
Senator

Senator Cronin submitted the following Motion in Writing:

I move that Senate Bill 735 do pass, notwithstanding the veto of the Governor.

DATE: 10/02/07 s/Dan Cronin  
Senator

Senator Delgado submitted the following Motion in Writing:

I move that Senate Bill 1011 do pass, notwithstanding the veto of the Governor.

DATE: 10/02/07 s/William Delgado  
Senator

Senator Munoz submitted the following Motion in Writing:

I move that Senate Bill 1344 do pass, notwithstanding the veto of the Governor.

DATE: 10/02/07 s/Antonio Munoz  
Senator

Senator Lightford submitted the following Motion in Writing:

I move that Senate Bill 1463 do pass, notwithstanding the veto of the Governor.

DATE: 10/02/07 s/Kimberly A. Lightford  
Senator

Senator Silverstein submitted the following Motion in Writing:

[October 3, 2007]

I move that Senate Bill 229 do pass, notwithstanding the specific recommendations of the Governor.

DATE: 10/02/07 s/Ira Silverstein  
Senator

Senator Maloney submitted the following Motion in Writing:

I move that Senate Bill 314 do pass, notwithstanding the specific recommendations of the Governor.

DATE: 10/02/07 s/Edward D. Maloney  
Senator

Senator Delgado submitted the following Motion in Writing:

I move that Senate Bill 544 do pass, notwithstanding the specific recommendations of the Governor.

DATE: 10/02/07 s/William Delgado  
Senator

Senator Collins submitted the following Motion in Writing:

I move that Senate Bill 774 do pass, notwithstanding the specific recommendations of the Governor.

DATE: 10/02/07 s/Jacqueline Collins  
Senator

Senator Halvorson submitted the following Motion in Writing:

I move that Senate Bill 1201 do pass, notwithstanding the specific recommendations of the Governor.

DATE: 10/02/07 s/Debbie Halvorson  
Senator

The foregoing Motions in Writing were filed with the Secretary and placed on the Senate Calendar.

Senator Brady submitted the following Motion in Writing:

SB0038AVM001

MOTION

I move to accept the specific recommendations of the Governor as to Senate Bill 38 in manner and form as follows:

AMENDMENT TO SENATE BILL 38  
IN ACCEPTANCE OF GOVERNOR'S RECOMMENDATIONS

Amend Senate Bill 38 on page 1, by deleting lines 15 through 23.

Date: 10-02-07 s/Bill Brady  
Senator

The foregoing Motion was filed with the Secretary and referred to the Committee on Rules.

[October 3, 2007]

Senator Righter asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 12:03 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

**AFTER RECESS**

At the hour of 12:46 o'clock p.m., the Senate resumed consideration of business.  
Senator Halvorson, presiding.

**REPORT FROM RULES COMMITTEE**

Senator Halvorson, Chairperson of the Committee on Rules, during its October 3, 2007 meeting, reported the following Senate Resolutions have been assigned to the indicated Standing Committees of the Senate:

Education: **Senate Joint Resolution No. 72.**

State Government and Veterans Affairs: **Senate Resolution No. 255.**

Senator Halvorson, Chairperson of the Committee on Rules, during its October 3, 2007 meeting, reported the following Senate Bills have been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Bills Numbered 1105, 1106 and 1107.**

Senator Halvorson, Chairperson of the Committee on Rules, during its October 3, 2007 meeting, reported the following House Bills have been assigned to the indicated Standing Committee of the Senate:

Executive: **House Bills Numbered 656, 921, 1334, 2070, 2353 and 2973.**

Senator Halvorson, Chairperson of the Committee on Rules, reported that the following Legislative Measure has been approved for consideration:

**Senate Floor Amendment No. 3 to House Bill 315**

The foregoing floor amendment was placed on the Secretary's Desk.

Senator Halvorson, Chairperson of the Committee on Rules, reported that the following Motion in Writing has been approved for consideration:

**Motion to Accept Specific Recommendations for Change to Senate Bill 38**

The foregoing Motion in Writing was placed on the Secretary's Desk.

**LEGISLATIVE MEASURES FILED**

[October 3, 2007]

The following Committee amendments to the House Bills listed below have been filed with the Secretary and referred to the Committee on Rules:

Senate Committee Amendment No. 1 to House Bill 656  
 Senate Committee Amendment No. 1 to House Bill 921  
 Senate Committee Amendment No. 1 to House Bill 1334  
 Senate Committee Amendment No. 1 to House Bill 2070  
 Senate Committee Amendment No. 1 to House Bill 2353  
 Senate Committee Amendment No. 1 to House Bill 2973

### REPORT FROM RULES COMMITTEE

Senator Halvorson, Chairperson of the Committee on Rules, during its October 3, 2007 meeting, reported the following Legislative Measures have been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Committee Amendment No. 1 to House Bill 656; Senate Committee Amendment No. 1 to House Bill 921; Senate Committee Amendment No. 1 to House Bill 1334; Senate Committee Amendment No. 1 to House Bill 2070; Senate Committee Amendment No. 1 to House Bill 2353; Senate Committee Amendment No. 1 to House Bill 2973.**

### MESSAGE FROM THE PRESIDENT

#### OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

EMIL JONES, JR.  
SENATE PRESIDENT

327 STATE CAPITOL  
Springfield, Illinois 62706

October 3, 2007

Ms. Deborah Shipley  
Secretary of the Senate  
401 State House  
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish December 31, 2007 as the Committee and Third Reading deadline for the following House Bills: 656, 921, 1334, 2070, 2353, and 2973.

Sincerely,  
s/Emil Jones, Jr.  
Senate President

cc: Senate Minority Leader Frank Watson

### CONSIDERATION OF GOVERNOR'S VETO MESSAGES

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Delgado moved that **Senate Bill No. 1011** do pass, the veto of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 48; Nays 2.

[October 3, 2007]

The following voted in the affirmative:

Althoff	Dillard	Link	Sandoval
Bomke	Frerichs	Maloney	Schoenberg
Bond	Garrett	Martinez	Sieben
Burzynski	Haine	Millner	Sullivan
Clayborne	Halvorson	Munoz	Syverson
Collins	Harmon	Murphy	Viverito
Cronin	Hendon	Noland	Watson
Crotty	Holmes	Peterson	Wilhelmi
Cullerton	Hunter	Radogno	Mr. President
Dahl	Jacobs	Raoul	
DeLeo	Koehler	Risinger	
Delgado	Kotowski	Ronen	
Demuzio	Lightford	Rutherford	

The following voted in the negative:

Hultgren  
Lauzen

This bill, having received the vote of three-fifths of the members elected, was declared passed, the veto of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Munoz moved that **Senate Bill No. 1344** do pass, the veto of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Risinger
Bomke	Forby	Lauzen	Rutherford
Bond	Frerichs	Lightford	Sandoval
Brady	Garrett	Link	Schoenberg
Burzynski	Haine	Luechtefeld	Sieben
Clayborne	Halvorson	Maloney	Sullivan
Collins	Harmon	Martinez	Syverson
Cronin	Hendon	Millner	Viverito
Crotty	Holmes	Munoz	Watson
Cullerton	Hultgren	Murphy	Wilhelmi
Dahl	Hunter	Noland	Mr. President
DeLeo	Jacobs	Peterson	
Delgado	Jones, J.	Radogno	
Demuzio	Koehler	Raoul	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the veto of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

[October 3, 2007]

Pursuant to the Motion in Writing filed on Wednesday, October 3, 2007 and journalized Wednesday, October 3, 2007, Senator Lightford moved that **Senate Bill No. 1463** do pass, the veto of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 42; Nays 9.

The following voted in the affirmative:

Althoff	Delgado	Lightford	Righter
Bomke	Demuzio	Link	Sandoval
Bond	Forby	Luechtefeld	Sieben
Brady	Halvorson	Maloney	Sullivan
Burzynski	Hendon	Martinez	Syverson
Clayborne	Hultgren	Millner	Viverito
Collins	Hunter	Munoz	Watson
Crotty	Jacobs	Noland	Wilhelmi
Cullerton	Jones, J.	Peterson	Mr. President
Dahl	Koehler	Radogno	
DeLeo	Lauzen	Raoul	

The following voted in the negative:

Frerichs	Harmon	Ronen
Garrett	Murphy	Rutherford
Haine	Risinger	Schoenberg

This bill, having received the vote of three-fifths of the members elected, was declared passed, the veto of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Link moved that **Senate Bill No. 514** do pass, the veto of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 55; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Righter
Bomke	Forby	Lauzen	Risinger
Bond	Frerichs	Lightford	Ronen
Brady	Garrett	Link	Rutherford
Burzynski	Haine	Luechtefeld	Sandoval
Clayborne	Halvorson	Maloney	Schoenberg
Collins	Harmon	Martinez	Sieben
Cronin	Hendon	Millner	Sullivan
Crotty	Holmes	Munoz	Syverson
Cullerton	Hultgren	Murphy	Viverito
Dahl	Hunter	Noland	Watson
DeLeo	Jacobs	Peterson	Wilhelmi
Delgado	Jones, J.	Radogno	Mr. President
Demuzio	Koehler	Raoul	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the veto of the Governor to the contrary notwithstanding.

[October 3, 2007]

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Brady moved to accept the Governor's specific recommendations for change to **Senate Bill No. 38**.

And on that motion, a call of the roll was had resulting as follows:

Yeas 54; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Risinger
Bomke	Forby	Lauzen	Ronen
Bond	Frerichs	Lightford	Rutherford
Brady	Garrett	Link	Sandoval
Burzynski	Haine	Luechtefeld	Schoenberg
Clayborne	Halvorson	Maloney	Sieben
Collins	Harmon	Martinez	Sullivan
Cronin	Hendon	Millner	Syverson
Crotty	Holmes	Munoz	Viverito
Cullerton	Hultgren	Murphy	Watson
Dahl	Hunter	Noland	Wilhelmi
DeLeo	Jacobs	Peterson	Mr. President
Delgado	Jones, J.	Radogno	
Demuzio	Koehler	Raoul	

The motion prevailed.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Maloney moved that **Senate Bill No. 314** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Risinger
Bomke	Forby	Lauzen	Rutherford
Bond	Frerichs	Lightford	Sandoval
Brady	Garrett	Link	Schoenberg
Burzynski	Haine	Luechtefeld	Sieben
Clayborne	Halvorson	Maloney	Sullivan
Collins	Harmon	Martinez	Syverson
Cronin	Hendon	Millner	Viverito
Crotty	Holmes	Munoz	Watson
Cullerton	Hultgren	Murphy	Wilhelmi
Dahl	Hunter	Noland	Mr. President
DeLeo	Jacobs	Peterson	
Delgado	Jones, J.	Radogno	
Demuzio	Koehler	Raoul	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

[October 3, 2007]

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

### EXCUSED FROM ATTENDANCE

On motion of Senator Link, Senator Silverstein was excused from attendance due to religious reasons.

### CONSIDERATION OF GOVERNOR'S VETO MESSAGES

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Delgado moved that **Senate Bill No. 544** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 53; Nays None.

The following voted in the affirmative:

Althoff	Dillard	Kotowski	Ronen
Bomke	Forby	Lauzen	Rutherford
Bond	Frerichs	Lightford	Sandoval
Brady	Garrett	Link	Schoenberg
Burzynski	Haine	Luechtefeld	Sieben
Clayborne	Halvorson	Maloney	Sullivan
Collins	Harmon	Martinez	Syverson
Cronin	Hendon	Millner	Viverito
Crotty	Holmes	Munoz	Watson
Cullerton	Hultgren	Murphy	Wilhelmi
Dahl	Hunter	Noland	Mr. President
DeLeo	Jacobs	Peterson	
Delgado	Jones, J.	Radogno	
Demuzio	Koehler	Raoul	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

At the hour of 1:30 o'clock p.m., Senator Hendon presiding.

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Collins moved that **Senate Bill No. 774** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 39; Nays 8.

The following voted in the affirmative:

Bond	Forby	Koehler	Raoul
Clayborne	Frerichs	Kotowski	Ronen
Collins	Garrett	Lightford	Sandoval
Cronin	Haine	Link	Schoenberg
Crotty	Halvorson	Maloney	Sullivan

[October 3, 2007]

Cullerton	Harmon	Martinez	Viverito
DeLeo	Hendon	Millner	Watson
Delgado	Holmes	Munoz	Wilhelmi
Demuzio	Hunter	Noland	Mr. President
Dillard	Jacobs	Radogno	

The following voted in the negative:

Dahl	Luechtefeld	Sieben
Hultgren	Risinger	Syverson
Lauzen	Rutherford	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Wednesday, October 3, 2007, Senator Halvorson moved that **Senate Bill No. 1201** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 53; Nays 1.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Ronen
Bomke	Garrett	Link	Rutherford
Bond	Haine	Luechtefeld	Sandoval
Brady	Halvorson	Maloney	Schoenberg
Clayborne	Harmon	Martinez	Sieben
Collins	Hendon	Millner	Sullivan
Cronin	Holmes	Munoz	Syverson
Crotty	Hultgren	Murphy	Viverito
Cullerton	Hunter	Noland	Watson
Dahl	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	
Dillard	Lauzen	Risinger	

The following voted in the negative:

Forby

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

Pursuant to the Motion in Writing filed on Tuesday, October 2, 2007 and journalized Tuesday, October 2, 2007, Senator Watson moved that **Senate Bill No. 247** do pass, the veto of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

Yeas 54; Nays None.

[October 3, 2007]

The following voted in the affirmative:

Althoff	Dillard	Lauzen	Risinger
Bomke	Forby	Lightford	Ronen
Bond	Frerichs	Link	Rutherford
Brady	Garrett	Luechtefeld	Sandoval
Burzynski	Haine	Maloney	Schoenberg
Clayborne	Halvorson	Martinez	Sieben
Collins	Harmon	Millner	Sullivan
Cronin	Hendon	Munoz	Syverson
Crotty	Hultgren	Murphy	Viverito
Cullerton	Hunter	Noland	Watson
Dahl	Jacobs	Peterson	Wilhelmi
DeLeo	Jones, J.	Radogno	Mr. President
Delgado	Koehler	Raoul	
Demuzio	Kotowski	Righter	

This bill, having received the vote of three-fifths of the members elected, was declared passed, the veto of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

Senator Holmes asked and obtained unanimous consent for the Journal to reflect her affirmative vote on **Senate Bill No. 247**.

Senator Righter asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 1:55 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

#### **AFTER RECESS**

At the hour of 2:33 o'clock p.m., the Senate resumed consideration of business.

Senator Hendon, presiding.

At the hour of 2:33 o'clock p.m., the Chair announced that the Senate stand adjourned until Thursday, October 4, 2007, at 9:00 o'clock a.m.